

G.R.S. IX-5]

Previous references.

Pris 15-20 (1-6, 12, 13, 23)

1920.

Pris 15

File No. *15-20.*

Serial Nos. *25, 33, 43, 57, 56, 60, 66.*

Later references.

Pris 30-23 (1-2)

" 25-24 (1-2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for

February 1923

SUBJECT

Introduction in the State of the System prevailing in the Madras jails in respect of equipment of civil debtors with a blanket and a mat in the jail.

8(66)

20

*The I.G. of Prisons
The Registrar, Chief Court.
The Comptroller,
The Comptroller, M.G.*

no. p. 7105-5 of 20.2.23.

Approves of the suggestion of the I.G. of Prisons for the levy from the decree-holder of the hire for the supply of a blanket and a mat to civil prisoners and directs that the hire shall be 8 annas and a month, subject to a minimum of 4 annas for a fraction of a month.

*Revised on the Multigraph.
1/3/23.*

ROUTINE-NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D 1102.

Pis. 15-20.

Letter Roc no: 989 of 20-21 dated
10.9.21 from the Supr Chief Const
intimating the views of the Judges
of the Chief Const regarding the
proposals to introduce in this
State the system prevailing in
London of supplying a blanket
and a mat for civil prisoners
at the cost of the ~~prison~~ ^{the State} holder.

Libd 1) The main file regarding
the improvement in the
General management of
the County of Central Jail
of which this subject ~~is~~ ^{is}
is one among several
others, is pending orders ~~on~~
on some points with the
member. This may perhaps
be worked up after orders
are issued in the main file
~~is related to that already~~
~~ordered~~

leav.
21/9/21
18/

N. B.—Should routine notes be written on small slips,
the notes must be copied, or slips pasted on
this form.

ascertain names
of authors. supply the
articles generally or whether the
author's name will have more
than one arrangement, if so,
in how many cases per cent.
approved the information with
the call for 21.9.21

25.9.21

21.9.21

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

See 2

1) The reformatory file and other files linked to it, have been ordered to be worked up after the question of the constitution of the reformatory is settled.

5) May this also be linked to that file & await the progress of the reformatory file, or this question may be worked up now.

by no means worth it
2/2/10

See 1
13/10/21

May this information required on the previous page be called for from the D.G. Pr.
The blankets and mat may perhaps be supplied by the Jail authorities, for the blankets and small cost recovered ^{in addition} ~~along~~ with the mat to the boarding charge now paid by the inmate holder or the boarding charges slightly increased to cover this cost also

See 1
19.10.21

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

8 off to the J. G. of Prisons ascertaining
in detail with reference to para 2

A. J.
28/10. 91

In approval

112 (10) 26/10

Gen Secy)

1.11.21

hm
2.11.21

111

Issue: car

se no 33

To be J. G. of Prisons

No 2243 be 4.11.1921

Enquire the Jail authority
supplies the articles generally
or whether the judgment
debtors will have made
their own arrangements and if so
in how many cases.

93
11/11
43

From The J. G. of Prisons

No 603/124-19 of 18/11/21

Says that the heading in P.O.
Jail to be supplied to those who
have not got them & in
anyone jail they are not
supplied at all unless
they are admitted as inmates
Subst with reference to

N.B.—Should routine notes be written on small slips
the notes must be copied, or slips pasted on
this form.

para, 2.12) The 28 of 11
for orders
22/4. vein ment that
Civil debtors who
cannot provide themselves

Serial
No.

beddings may be supplied with
a blanket, & the mat the Court
being removed from the judgment
and costs

(3) In the Central Jail
the Jail provides bedding to the
prisoners & in Mysore the
practice is contrary. In 95% of cases
these prisoners come without a bedding.

(4) The Chief Court are
not definite in their opinion either way.
They are in a way averse to adding to
the expenses incurred by the creditor & also
also averse to the debtor bearing the costs, unless
it be from sanitary point of view.
In Madras Rs 3/- are charged to the
creditor towards this item. It may
be possible to reduce the cost by keeping
a stock & hiring the bedding to the
creditors, who may perhaps be taxed
with this additional cost, as their
main object in sending the debtors
to jail is to satisfy their spite for
not being paid, though the fear
often ends in their being paid up by
somebody interested. The rate of fine
may be fixed & charged to the creditors

Serial
No.

15) The question may perhaps be dropped. No further inquiry or need.

5325
- 1.5.22

2nd member

16) From the point of view of sanitation, premises and not to be allowed to introduce their ^{own} bedding into the jail premises. Besides there is the difficulty of purchase of the furniture & my one. The ~~other~~ who was the very reason why the ~~other~~ who sent his debt to jail and not bear the cost. But the rules proposed are high. Only the cost of hiring may be charged. The P.G. Officer may be asked to submit revised proposals to the master.

16/5
20/5

17) Draft

18/5 - 20/5

18) Draft submitted for consideration

2nd

23/5/22
20/5

19)

Bone
25/5

Serial
No.

51

20

The Dy. of P. & S.

J. 5554 of B. 5. 22

With refce to all 43 calls for amended
proposals for the Commission

56.

Letter no: 1027/124-17 dated 10.7.22
from the Dy. of P. & S. submitting revised
proposals as called for in R. 5.1With reference to the above mentioned
in the previous page. The revised proposals
may perhaps be approved.

Recd -

15/7/22

1) What usually happens
is that the debtor is sent
along with butia for a month or
unexpired portion of a month. It is
rarely that the butia for the whole
period is deposited. It is, therefore
better to fix a monthly rate of 8
annas, to be deposited along with the
butia.2) The Dy. has not suggested
the number of blankets, or the outlay
he is going to incur in the scheme to
have the cost to be met. Information
at this point may perhaps be necessary.

Grassley

18.7

Serial
No.

23) ~~The~~ It is also a question whether if a new rule is framed, it should be framed under the Jail Manual or under the Civil Procedure Code

12993
28.8.22

Second member)

to 25/8/22

copy
28/8

24) The Jail Com. may be advised of this in the matter as referred. The proposed rule. It may be stated that in the matter of the Jail Com. it is considered inadvisable to allow the prisoners to keep their own bedding in the premises. The Jail

to 31/8/22

30/8/22

25) Draft subd.

copy
1.9.22

27) If the new rule is to be adopted in the Jail Manual, Rule 39 of Order XXI of Civil Procedure Code seems also to require amendment unless 'subsistence allowance' can be taken to include the cost of the supply of the bedding. Draft revised accordingly is sent for orders.

9/9

28) Done
copy
14/9

Serial
No.

31) The Chief Court are generally agreeable to the levy of eight annas per month, for the supply of a blanket &c to civil debtors in jail. They, however, propose a minimum of annas 4 for provisions per month. They consider that no change in Rule 39 is necessary.

32) Sub for order

(Gen Secy)

Cag

31/10

33)

The Chief Court do not themselves consider that the solution proposed is the best one; but they are prepared to add the rate of hire now proposed to the daily rates of subsistence fixed at p 36 of the Civil Digest

Second member -

2900
2.11.22to
7/11/22

34) The suggestion of the Chief Court as regards the reduction of the rate in case of detection of prisoners for trading for minute supplies was necessary & was to be applied.

1/11/22

24/11

A-SB 29.11.22

General and Revenue
Secretariat.

Pris File No. 15 of 19 20

Serial
No.in draft may be stopped
for amendment
10/12

35) Draft made

36) Draft revised dated
10/12/22
11/12/22
12/12/22
13/12/22Second
enclosure37) Appo
10/12

27/12/22

10310
31/1/23

66

20

The J. G. of Prisons; The Registrar, Chief Const.

The Comptroller; The Comptroller; Secy.

No. p. 7105-9 of 20.2.23.

Appreciation of the suggestion of the J. G. of Prisons
for the hire from the decree-holder of the hire for
the supply of blanket & mat. to civil prisoners
and direct that the hire shall be 8 annas
a month, subject to a minimum of 4 annas
for a fraction of a month.

D
10/12

provide new blankets and mats for all prisoners in the interests of the cleanliness of the prison, it is right that the Government should provide what is necessary for that purpose.

A debtor can be imprisoned only for six weeks if the decree amount is less than Rs.50/- Sec.58(1)(a) Civil Procedure Code and only once in execution of any one decree (Section 58(2) C.P.Code). If the expenses of the imprisonment can be added to the debt and are not necessarily a dead loss to the decree-holder, there may be no objection to a rule for the provision of bedding and blankets. Otherwise it may be rather hard on the decree-holder.

Neither a blanket nor a mat ought to become un-serviceable in six weeks, and if properly cleaned could be used again; but the decree holder can hardly be expected to take them over for that purpose as the rule proposed would require him to make his deposit in cash not in kind; and anyhow decree-holders do not generally have a constant supply of judgment-debtors to be provided for.

Possibly the prison might keep a stock of the requisite articles for hire to decree holders.

It is not known what difficulties have been experienced by judgment-debtor-prisoners or the jail authorities under the present system; but generally it seems undesirable to add to the cost of imprisonment, and the present system seems to provide for the cases where some special supply is necessary. The Judges do not think the Government ought to bear the cost generally, unless the provision is wanted in the interests of prison sanitation; the Government already bear the expenses

19439-
2000 987
3/1/21

GEN & REV. SECT.
18 SEP 1921

CHIEF COURT OF MYSORE,
2/8

Bangalore, 10th September 1921.

From

A. Srinivasa Raghavachar, Esqr., B.A., B.L.,
Registrar of the Chief Court of Mysore,
B a n g a l o r e.

To

B. Kamaswamiya, Esqr., B.A., P.L.,
Secretary to the Government of Mysore,
General Department, Bangalore.

S i r,

Adverting to your letter No. 7.10344 Pris.10-20-1 dated the 14th April 1921, requesting the views of the Judges regarding the proposal to introduce in the State the system prevailing in the Madras Jails according to which every civil debtor sent thereto is accompanied by a sum of Rs.3/- for equipping him with a blanket and a mat, I am directed to state that few debtors are so poor as to be unable to provide themselves with such bedding and clothing as they are accustomed to use. Such things are exempt from attachment under section 60(1)(a) Civil Procedure Code. If however there are debtors who cannot afford bedding in their homes, it may not after all be so very inhuman to refrain from supplying them with bedding in the prison. The proposal is to supply every debtor with a blanket and mat at the cost of the decree holder. But if the debtor has his own, that seems to be an unnecessary charge on the decree holder.

If the Jail authorities prefer as they may do, to provide

- 3 -

of providing accommodation and guarding the prisoner.

I have the honour to be,

Sir,

Your most obedient servant,

Heinrich Loggins
12/9/21.

R E G I S T R A R.

He

SUBJECT.....
.....
.....

Diary No. of letter replied to 1102

Section *Pris*
File No. *15-20*
Serial No. *33*

General and Revenue Secretariat
()
, the 191

No. *22273*

Date of issue *4/11/21*

To *The Jg. of Prison*
fr

Signed by *Gen. C. Abdul Ghani*

G. proposal no 4.

With reference to your letter
no ¹⁸⁹⁰₁₂₄₋₂₀ of ²²₂₃ 12.1920 regarding the
proposal to introduce in the State the
system prevailing in the Madras Jail
in respect of equipment of British
debtors with a blanket and a mat.
In the Jail, I am directed to enquire
whether the Jail authorities supply the
articles generally ^{I do not ask for hand} or whether the judgment
-debtors will have made their own arrange-
-ments and if so, in ^{over} how many cases
percent.

*subject & approval
12/2*

I have etc

CS/24 20/10

*CS
in m*

Gen Sec

50830

his 15-20-43

3999

No.

603

124-19

Office of the Inspector-General of Prisons

15

in Mysore,

Dated, Bangalore, *18* April 1922.

From

19

Dr. H. B. Mylvaganam, F.R.C.S., (Eng).,

Inspector-General of Prisons

in Mysore, Bangalore.

To

S. Hiriannaiya Esqr., M.A., B.L.,

Secretary to the Government of H. H. the

Maharaja of Mysore, General Department,

B a n g a l o r e .

GEN. & REV. SECTY.
8/16
20 APR 1922

Sir,

JUDICIAL
With reference to your letter No. J. 2273/Pris 15-20-33 dated 4th November 1921 in respect of equipment of Civil Debtors with a blanket and a mat in the Jail, I have the honor to state that the practice in vogue in the Bangalore Central and Mysore Jails, regarding the same, is not uniform. The Superintendent of the Bangalore Central Jail reports that as it is very seldom that a Civil Debtor is brought to the Jail with his bedding, the Jail authorities supply the same now without any cost whatever. If the Judgment Debtor makes his own arrangement, which may not be more than 5 in 100 cases, the Jail authorities do not supply him with any articles of bedding.

2. The Superintendent of the Mysore Jail states that similar prisoners confined are not provided with blankets or mats as a rule, unless they are sick and admitted as in-patients of the Jail Hospital, in which case they will have all the Hospital benefit.

3. To have an uniformity of practice I recommend that all the Civil Debtors who cannot provide themselves with their own bedding, should be supplied with a blanket and a mat, the cost thereof being recovered from the plaintiffs, as in the case of

subsistence

2287
2-11-21

6)

-2-

subsistence allowance.

I have the honor to be,

Sir,

Your most obedient servant,

Lt. Col. F. A. Logan

Inspector-General of Prisons.

SUBJECT.....

Copy No. of letter replied to 3-19

Section *Pris*

File No. *15-20*

Serial No. *51*

General and Revenue Secretariat

()

, the

191 .

No.

5554

Date of issue

30/5/21

To

Secy. of Prisons

Signed by

W. C. C. Li,

With reference to your letter no 603/124-19 of 19.4.21 in the matter of the supply of a blanket and a mat to the civil debtors confined in the jails, I am directed to state that Gov. are of opinion that from a sanitary point of view ^{and} prisoners should not be ^{introduced} ~~introduced~~ their own bedding into the jail premises over.

and suggest the desirability of
~~hiring~~ hiring those articles
in the use of
to those printers and charging the
same to the decree holders: Printing each with a fresh set would
be too costly.
I am to request you therefore to
be good enough to submit revised
proposals on the above lines at
as early a date as possible for
the consideration of Govt.

Yours

Sham Lal

Cur
5/5-
for Secy to Govt
7/5

Recd
-23/5/21

01048

11215 15-20-56

8 218
P

19

VALAND
No. 1027
1254-19
JUDICIAL BRANCH
From

Office of the Inspector-General of Prisons
in Mysore,

Dated. Bangalore, 10th July 1922.

Dr. H. B. Mylvaganam, F.R.C.S., (Eng).,
Inspector-General of Prisons
in Mysore, Bangalore.

To

B. Venkoba Rao Esqr., B.A.,
Secretary to the Government of H. H. the
Maharaja of Mysore, General Department,
Bangalore.

Sir,

With reference to your letter No.J.5554/Pris 15-20-51 dated 30th May 1922 requesting the submission of revised proposals prepared on the lines suggested by Government in the matter of supplying articles of bedding to Civil Prisoners confined in jails in the State, I have the honor to state as Under :-

(2) Under section 631 of the Mysore Jail Manual, a Civil Prisoner has to be provided with the following articles of bedding, their approximate cost being as noted against each article.

1. Mat or cotton carpet . . . 6' x 2½' ----	Rs. 3- 8- 0
1 Blanket or cumbly	(carpet) Rs. 4- 8- 0
1 Cotton sheet.	Rs. 1- 0- 0

Total Rs. 9- 0- 0

(3) Under section 355, a blanket has to last for 2 years and the other two articles viz., carpet and sheet may be expected to last for the same period.

(4) The cost of these 3 articles, as worked out above, will be about Rs. 9/- and the hire for these articles will therefore be Rs. 9/- ÷ 24 months = 6 annas per month.

(5) As Civil Prisoners are sent for detention in jail either for six weeks or 6 months, the hire for the said period will

12 JUL 1922

22

will either amount to 9 annas or Rs.2-4-0.

(6) Thus it is clear that the value of a set of bedding could be recovered before it becomes unserviceable in as much as it can conveniently be let on hire to 4 Civil - prisoners with the maximum period of detention of 6 months ^{each} or to larger number with the minimum period, the same being disinfected every time after issuing them.

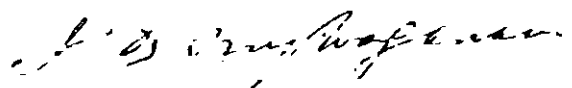
(7) Under the above circumstance I would suggest that the following Rule may very well be added after section 643 of the Mysore Jail Manual thus :-

643 A. The Court shall also recover from decree-holder and remit to jail, with the 1st payment of the monthly subsistence allowance, the hire for bedding to be used by - Civil Prisoners which shall be 9 annas if the Civil Prisoner is to be detained in jail for 6 weeks or Rs.2-4-0 if he is to be detained for 6 months.

I have the honor to be,

Sir,

Your most obedient servant,



Inspector-General of Prisons.

SUBJECT 129

Diary No. of letter replied to 218

Section Pris

File No. 15-20

Serial No 60

General and Revenue Secretariat

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191

No. p 2362

Date of issue

15/9/1911

Signed by

M. C. Rahman

To

Mr. Arthur, Chief Constable
Prison

Sir,

^{the correspondence ending in}

with reference to your letter

No: R.O.C 989/20-21 of 10.9.11

^{furnishing} forwarding the views of the ^{of the C.C.} J.P.

regarding the proposal to introduce

into the State the system of providing

the civil debtor confined in the jails

with a blanket and a mat from the

jail Dept, I am directed to state

that in the interests of ^{prison} sanitation

it is considered inadvisable

over.

to allow the civil prisoners to bring
their own bedding in the premises of the
Jail. It is accordingly

~~with this end in view it is proposed~~
introduce
to ~~franchise~~ a rule in the jail manual directing
that a fee of annas eight ^{per month a part of a month} is to be
by the ~~prisoners or their friends~~ ^{prisoners and relatives to the Jail}
covered ~~reimbursement~~ along with the bills,
meeting the hire of
for supplying a blanket and a mat supplied
to such prisoners.

as noted in
the margin

I am to request you therefore to be so good as to favor
that a similar rule may be
be framed under the Civil Pro.
Code so that there may be no clash
between ~~the rule in the~~ the rule in the
Jail manual and that in the
Civil Pro. Code, and submit the
for the information of Govt.,
after the receipt of which
the proposed rule in the Jail manual
will be published
A meeting is requested.

Set into the opinion
of the Judges ^{as to whether} ~~is to be~~
the proposed rule
may be adopted and
if so, whether Rule
39 of Order XXI of
the Civil Procedure
Code should not also
be amended in
^{List of enclosures}
the light of the said rule

M. A. 2

M. A. General Secy

Don
9/9

Copied by
Examined by

Ghande

Gandey

Level
26/9/22

29795

15-20

2162¹²³
10

O.S. No 63
22-25

CHIEF COURT OF MYSORE

Bangalore, dated 27th October 1922

From

A. Srinivasa Raghavachar⁴, Esquire, B.A., B.L.,
Registrar of the Chief Court of Mysore,
Bangalore.

RECEIVED
29 OCT 1922

To.

B. Venkoba Rao, Esquire, B.A.,
Secretary to the Government of Mysore,
General Department, Bangalore.

30/10/22

Sir,

I am directed to acknowledge the receipt of your No. P.2362/Pris.15-20-60, dated the 16th September 1922, requesting the opinion of the Judges of the Chief Court in regard to the proposed introduction of a rule in the Jail Manual directing that a fee of annas eight per month or part of a month be recovered by the court and remitted to the Jail for meeting the hire of a blanket and a mat to be supplied to every civil debtor confined in the Jails.

2. In reply I am to state that the Judges do not themselves consider that the solution proposed is the best one; but as the Government consider that it is necessary in the interests of sanitation to supply prison blankets and mats on hire, in all cases of prisoners - poor or otherwise, and that something should be recovered from the decree-holders to meet the cost, they have no objection to a rule as proposed being adopted. They would at the same time suggest for consideration whether when the judgment-debtor is imprisoned for a fraction of a month the fee may not be reduced proportionately subject to a minimum of four annas.

3. The Judges do not consider that Rule 39 of Order XXI needs amendment. It does not itself lay down any scale of charges, but refers merely to scales fixed by Government under section 57 or which the court considers sufficient in the absence of such a scale. The scales referred to in section 57 are scales of monthly allowances payable for the ~~xxx~~ subsistence of the judgment-debtors; and such a scale has already been prescribed at page 36 of the Civil Digest. It may be a question whether the recovery of the hire of a blanket and a mat can be treated as coming under "subsistence". But after all there is no reason why it should not be so treated and "subsistence" interpreted as including all that is necessary to sustain life and not merely food and drink. In this view, all that seems necessary is to add the rate of hire now proposed to the daily rates of subsistence already fixed.

I have the honour to be,

Sir,

Your most obedient servant,

Heeminsahpaulu
28/10/22

REGISTRAR.

Lu

Prs 15-20-66

Proceedings of the Govt. of His
Highness the Maharaja of Mysore.

Read:-

Letter No. 1319/124-19 dated the 28th August 1920, from the Inspector General of Prisons in Mysore, recommending the adoption of the system prevailing in the Madras Jail, according to which every civil debtor sent thereto is accompanied by a sum of Rs. 3/- for equipping him with a blanket and a mat.

2. Correspondence ending with letter No. 1027/124-19 dated 10th July 1922 from the same officer, submitting revised proposals in the matter and proposing the addition of a new rule as rule 643 A to the Mysore Jail Manual, providing for the recovery from the decree-holder and remittance to the Jail with the first payment of the subsistence allowance, the cost of hire for the supply of a blanket and a mat to the civil prisoners viz., ^{9 annas} James if he is to be detained for 6 weeks, or, Rs. 2-4-0, if he is to be detained for 6 months.

3. Correspondence ending with letter No. D1 Dis No. 63/22-23 dated 27-10-1922, from the Registrar, Chief Court, stating that while the Judges are agreeable to the levy of ^{a fine of} 8 annas per month for the supply of a blanket and a mat for civil prisoners in the interests of the sanitation of the Jails they would fix a minimum of annas

four

12/11/22

261

four for fractions of a month.

Order No.

P7105-9/Pris
20/2/23.
Dated Bangalore, the ~~Dec. 1922.~~

Government approve of the suggestion of the I.G. of Prisons for the levy from the decree-holder of the hire for the supply of a blanket and a mat to civil prisoners and direct that the hire shall be eight annas a month, subject ^{to} a minimum of four annas for fractions of a month. This amount should be recovered along with the subsistence allowance and remitted to the Jail by the Court as per rule 30 ^{Order XX of} of the Civil -- rules of practice Procedure Code.

2. The following new rule shall be ^{accordingly} added to the Mysore Jail Manual as Rule 643, A:-

"The Court shall also recover from the decree-holder and remit to Jail, with the first payment of the monthly subsistence allowance, the hire for bedding to be used by the civil prisoner, which shall be eight annas per month, subject to a minimum of annas four for fractions of a month.

3. The Inspector General of Prisons is requested to issue an addendum slip to the Jail Manual.

To General Secretary to Govt.

The I.G. of Prisons.

" Registrar, Chief Court, with a covering letter.

" Comptroller

Press Table.

The Compiler, Mysore Gazette, for publication in the Gazette

Wt

27/12/22

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18/12